

EXHIBIT 9

**The Commonwealth of Massachusetts  
Commission Against Discrimination  
One Ashburton Place, Boston, MA 02108  
Phone: (617) 994-6000 Fax: (617) 994-6024**

MCAD DOCKET NUMBER: 02BEM03809  
FILING DATE: 11/13/02

EEOC/HUD CHARGE NUMBER: 16CA300356  
VIOLATION DATE: 05/21/02

Name of Aggrieved Person or Organization:

Jacqueline A Lassiter  
22 Frontenac St. Apt. B  
Boston, MA 02124  
Primary Phone: (617)635-8948 ext. \_\_\_\_\_

Named is the employer, labor organization, employment agency, or state/local government agency who discriminated against me:

Fleet Bank -Kimber Anderson, Brian Gibbs  
Human Resources  
100 Federal Street  
Boston, MA 02116  
Primary Phone: (800)841-4000 ext. \_\_\_\_\_

No. of Employees: 25+

Work Location: High Park Highschool

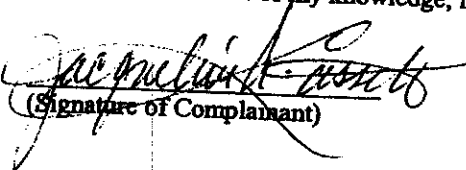
Cause of Discrimination based on:  
Race, Color, Black (Non-Hispanic).

The particulars are:

I, Jacqueline A Lassiter, the Complainant believe that I was discriminated against by Fleet Bank -Kimber Anderson, Brian Gibbs, on the basis of Race, Color. This is in violation of and Title VII.

Kimber Anderson discriminatorily charged me with work related errors which were committed by Nelson Velez, a white male. Ms. Anderson retaliated against me for my protest against racial discrimination by ordering my termination on the pretext of the said error. The discriminatory conduct of Ms. Anderson and retaliation were in violation of the company's stated policies of non-discrimination. Mr. Brian Gibbs approved of the discriminatory conduct and the retaliation.

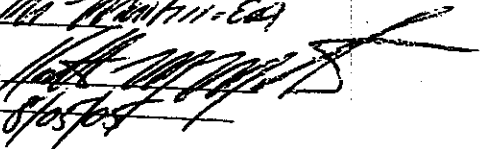
I swear or affirm that I have read this complaint and that it is true to the best of my knowledge, information and belief.

  
(Signature of Complainant)

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS DAY of 11/13/2002.

NOTARY PUBLIC: 

SIGNATURE NOTARY PUBLIC: 

MY COMMISSION EXPIRES: 

**The Commonwealth of Massachusetts  
Commission Against Discrimination  
One Ashburton Place, Boston, MA 02108  
Phone: (617) 994-6000 Fax: (617) 994-6024**

11/13/2002

RE: Jacqueline A Lassiter vs. Fleet Bank -Kimber  
Anderson, Brian Gibbs  
MCAD Docket Number: 02BEM03809  
EEOC/HUD Number: 16CA300356

Dear Counsel:

Please be advised that the Massachusetts Commission Against Discrimination (MCAD) has received the above referenced complaint of discrimination. State law requires the Commission to conduct an impartial review of these allegations.

The Respondent has been advised of its obligation to provide you with a copy of its Position Statement responding to these allegations. If you have not received your copy of the Position Statement prior to receiving the Commission's Pre-Determination Discovery Order, please contact the Respondent immediately for a copy.

The Commission encourages parties to consider rapid, informal, and voluntary resolution of disputes as an alternative to the often lengthy and expensive litigation process. To discuss the possibility of settlement, please contact opposing counsel. If both parties express interest in mediation, then contact the undersigned for further information.

Enclosed please find a brief fact sheet designed to address the most frequently asked questions about the Attorney Assisted Unit. If you have any further questions pertaining to this investigation, please contact the undersigned at (617) 994-6040. **Please note: this case will be assigned to an attorney investigator upon receipt of all required pleadings.**

Sincerely,

Sunila Thomas-George, Esq.  
Supervisor  
Attorney Assisted Unit (AAU)

cc:

MCAD Docket Number 02BEM03809, Serve Complainant - AAU

11/21/03

**The Commonwealth of Massachusetts  
Commission Against Discrimination  
One Ashburton Place, Boston, MA 02108**

Phone: (617) 994-6000

Fax: (617) 994-6024

Date Issued: 11/21/2003

Winston M. Kendall, Esq.  
Law Offices of Winston Kendal  
136 Warren Street  
Boston, MA 02119

Re: Complainant(s) Jacqueline A Lassiter  
Vs.  
Respondent(s) Fleet Bank -Kimber Anderson, Brian Gibbs

MCAD Docket Number: 02BEM03809  
EEOC/HUD Charge Number: 16CA300356

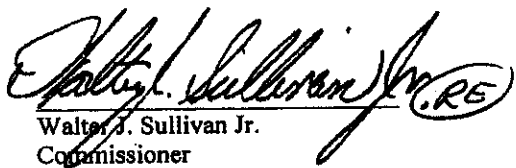
Dear Counsel:

The Commission has received notice that a civil action is being filed in Superior Court in the above-referenced matter. Pursuant to M.G.L.A. 151B, Section 9 (Chapter 478 of the Acts of 1974), the complaint before the Commission is hereby dismissed without prejudice as to the merits.

**Please be advised that pursuant to 804 CMR 1.15(2), the parties are required to serve upon the Commission's General Counsel a copy of any final order obtained in court. In addition, any party filing an appeal of such final order is required to serve a notice of appeal upon the Commission's General Counsel.**

Please be advised the Complainant is barred from subsequently bring a complaint on the same matter before this Commission.

Very truly yours,

  
Walter J. Sullivan Jr.  
Commissioner

Cc:

Anne M. Kinnane, Esq.  
Fleet, Corporate Law Department  
Mail Stop: MA DE 10019B  
100 Federal St.  
Boston, MA 02110

**THE COMMONWEALTH OF MASSACHUSETTS  
COMMISSION AGAINST  
DISCRIMINATION  
ONE ASHBURTON PLACE  
BOSTON, MA 02108-1518**

**Tel: (617) 994-6000**

**TTY: (617) 994-6196**

**Fax: (617) 994-6024**

**TO: File**  
**FR: Robin Edwards**  
**RE: Jacqueline A. Lassiter v. Fleet Bank; Kimber Anderson and**  
**Brian Gibbs**  
**MCAD # 02BEM03809**  
**EEOC # 16CA300356 (25+ employees)**  
**DATE: November 21, 2003**

**RECOMMENDATION: CASE CLOSURE – WITHDRAWN IN ORDER TO**  
**FILE A PRIVATE RIGHT OF ACTION ON THE SAME MATTER IN**  
**CIVIL COURT**

On November 13, 2002 Complainant filed a complaint with the Massachusetts Commission Against Discrimination. Complainant alleged Respondents discriminated against her on or around May 21, 2002 on the basis of Race and Color in violation of M.G.L. c.151B §4 (1) and Title VII.

On November 17, 2003 Complainant's Counsel submitted a request to withdraw the complaint from the MCAD and EEOC in order to pursue the matter as a private right of action in civil court.

The Commission finds no reason to investigate this matter further. Therefore, it is recommended that Complainant be allowed to withdraw this complaint.

  
Robin Edwards  
Administrative Assistant  
MCAD, AAU